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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/727,321

12/03/2003

Oliver Keren Ban

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International Business Machines
Intellectual Property Law
11400 Burnet Road
Austin, TX 78758

EXAMINER

SIKRI, ANISH

ART UNIT

PAPER NUMBER

2109

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/04/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/727,321

Applicant(s)

BAN, OLIVER KEREN

Examiner

Anish Sikri

Art Unit

2109

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 12/03/03
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-15 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claims 1, 6 and 11, recites in a communication network with user access via a plurality of data processor controlled interactive display terminals for sending and receiving broadcasting packets, an electronic document distribution system for routing broadcasting packets from a sending server to a receiving server comprising: means for temporarily coding a broadcasting payload to a set of symbols; means for temporarily stripping the broadcasting payload from the broadcasting packet; means for temporarily replacing the broadcasting packet with a coded symbol; means for adding the coded symbol to a header; means for transmitting the coded header and a coded payload of

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the broadcasting packet to the receiving server via the broadcasting router; and means for converting a corresponding broadcasting payload from its coded format to form a full broadcasting packet in the receiving server.

The specification does not clearly enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use of temporarily coding broadcasting payload to set of symbols. The use of coding along with symbols is not explained clearly, as any data could be interpreted as a symbol. The use of replacing the broadcasting packet with coded symbol to header is not explained in specification in which further enablement of the invention can be understood, on how the broadcast packet is replaced with a coded symbol to the header. The use of transmitting the converting the corresponding broadcasting payload from its coded format to form a full broadcasting packet is not explained fully in the specifications in which further enablement of the invention can be understood. One in the art can not see on how the specification describes on how the broadcasting payload from its coded format form a full broadcasting packet.

Claims 2, 7, and 12, recites that the document distribution system for reducing the broadcasting payload of the broadcasting packet to a coded header.

The specification does not clearly enable one skilled in the art to which it pertains, or with which it is most nearly connected, for reducing the broadcasting payload to a coded header.

Claims 3, 8, and 13, recites that the receiving the coded header and patching the corresponding broadcasting payload from storage to form the full broadcasting packet.

The specification does not clearly enable one skilled in the art to which it pertains, or with which it is most nearly connected, for receiving the coded header and patching the corresponding broadcasting payload from storage to form the full broadcasting packet.

Claims 4, 9, and 14, recites that wherein said document distribution system is an electronic mail distribution system associated with electronic mail sources.

The specification does not clearly enable one skilled in the art to which it pertains, or with which it is most nearly connected, for teaching on how mail distribution system is able to insert coded symbols to packets.

Claims 5, 10 and 15, recites network is a distributed network; said broadcasting payloads are digitized packets; said document sources are packets; and said network distribution system is a network server system.

The specification does not clearly enable one skilled in the art to which it pertains, or with which it is most nearly connected, for having digitized packets. The specification does not teach on how the packets are digitized.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 6 and 11, recites in a communication network with user access via a plurality of data processor controlled interactive display terminals for sending and receiving broadcasting packets, an electronic document distribution system for routing broadcasting packets from a sending server to a receiving server comprising: means for temporarily coding a broadcasting payload to a set of symbols; means for temporarily stripping the broadcasting payload from the broadcasting packet; means for temporarily replacing the broadcasting packet with a coded symbol; means for adding the coded symbol to a header; means for transmitting the coded header and a coded payload of the broadcasting packet to the receiving server via the broadcasting router; and means for converting a corresponding broadcasting payload from its coded format to form a full broadcasting packet in the receiving server.

It is unclear on what is being used for coding the broadcast payload to a set of symbols, as symbols can be any form of data, and which broadcast payload is being stripped from the packet. The clear use of broadcast payload is not identified. Furthermore, it is difficult to ascertain on which coded symbol is being added to the header, again as a coded symbol could be any form of data.

On the means of transmitting the coded header and a coded payload of the broadcasting packet to the receiving server via the broadcast router, which header and payload are being transmitted to the receiving server via the broadcast router?

Moreover, conversion of coded payload from its coded format to form full broadcasting packet is not clearly claimed, which coded payload is being referred to?

Claims 2, 7, and 12, recites that the document distribution system for reducing the broadcasting payload of the broadcasting packet to a coded header.

It is unclear on how the broadcast payload is reduced to a coded header?

Claims 3, 8, and 13, recites that the receiving the coded header and patching the corresponding broadcasting payload from storage to form the full broadcasting packet.

It is unclear on which coded header is received and how the patching is carried to the broadcasting payload from storage to form the full broadcasting packet? As patching could mean anything from addition, appending, joining etc.

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Claims 4, 9, and 14, recites that wherein said document distribution system is an electronic mail distribution system associated with electronic mail sources.

It is unclear from specification on how the mail distribution system is able to insert coded headers to packets?

Claims 5, 10 and 15, recites network is a distributed network; said broadcasting payloads are digitized packets; said document sources are packets; and said network distribution system is a network server system.

It is unclear on how the broadcasting payloads become digitized packets?

Upon clarification, and/or amending the above claims, the Examiner will be able to properly act on the merits of this application. In their present form, the Examiner feels it is impossible to determine the scope of the claims, and therefore has not put forth an art rejection at this time. It should also be noted, that no new matter be incorporated.

Conclusion

Any response to this Office Action should be **faxed to (571) 273-8300 or mailed to:**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Hand-delivered responses should be brought to

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Anish Sikri whose telephone number is (571) 270-1783. The Examiner can normally be reached on Monday-Thursday from 6:30am to 5:00pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Rafael Pérez-Gutiérrez can be reached on (571) 272-7915. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For

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more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 571-272-4100.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

Anish Sikri
A.S./a.s.

March 29, 2007

A handwritten signature in black ink, appearing to read 'Anish Sikri', with a large, stylized initial 'A' and a long, sweeping underline.